

## **REMARKS**

Claims 1-13 and 53-75 are pending.

Claims 1-13 and 53-75 stand rejected.

Claims 1-6, 8, 10-13, 54-62, 66, 67, 69, 74, and 75 have been amended.

Claims 9, 14-52, and 65 have been canceled without prejudice of disclaimer of the subject matter recited therein.

Claim 76 has been added.

### **Claim Rejections - 35 U.S.C. § 112, 2<sup>nd</sup> para.**

Claims 59-74 stand rejected for lacking antecedent basis for “computer readable medium”. Claim 58 has been amended for clarity to recite “computer readable medium” to provide antecedent basis for claims 59-74.

Accordingly, Applicants respectfully request withdrawal of the rejection.

### **Claim Rejections - 35 U.S.C. § 103**

Claims 1, 5-10, 58, 62-66, and 70-75 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,167,383 to Henson (hereinafter “*Henson I*”) in view of U.S. Patent No. 7,035,816 to Henson (hereinafter “*Henson II*”), and further in view of U.S. Patent No. 7,130,821 to Connors et al. (“*Connors*”).

Applicants respectfully submit that *Henson I* in view of *Henson II* and *Connors* neither teach nor suggest “generating a first delta price for a second configuration of the product after receiving the modification of the one or more features of the first configuration” as required by claims 1, 58, and 75.

*Henson I* teaches:

The capability to self-select system options and then price them was afforded through the presence of an online configurator. This configurator enabled customer selection of key, system-defining components from a display of available system options for a chosen system. The display of available options included the presentation of a "delta" price, wherein a change in system price was

affected by selection of an option. The configurator afforded the ability to update overall system priced based upon selections made. *Henson I*, col. 2, lines 5-12.

Thus, *Henson I* teaches a “display of available system options”, and “the display of available options included the presentation of an exemplary “delta price””. *Id.* Figure 5 of *Henson I* appears to provide an example of such a display of an exemplary “delta price”. *Id.* In element 92 of Figure 5, if 64MB SDRAM memory is selected, an exemplary “delta price” is “subtract \$30”, if 128MB SDRAM memory is selected, an exemplary “delta price” is “add \$60”, and so on. *Id.* However, rather than “generating a first delta price for a second configuration of the product **after receiving the modification** of the one or more features of the first configuration” as required by claims 1, 58, and 75, the exemplary “delta price” of *Henson I* is displayed **prior to** receiving any modification to the current configuration of the product of Figure 5.

Claims 1, 58, and 75 also make clear that “the second configuration is the first configuration as modified by the received modification, the modification of the one or more features of the first configuration results in a price change between the first and second configurations of the product, and the first delta price comprises the price change.” Claims 1, 58, and 75.

*Henson II* relates to a “method and apparatus for advising on a lead time for a customer configured computer system, selection input from a customer is received.” *Henson II*, Abstract.

*Connors* relates to “selecting a first configuration representing a first product with a first attribute, selecting a second configuration representing a second product with a second attribute, and displaying the first attribute and the second attribute.” *Connors*, Abstract.

Applicants respectfully submit that *Connors* is not a proper reference under 35 U.S.C. § 103.

Title 35 U.S.C. § 103(c)(1) states:

Subject matter developed by another person, which qualifies as prior art only under one or more of subsections (c), (f), and (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the claimed invention was made, owned by the same person or subject to an obligation of assignment to the same person.

Applicants respectfully submit that *Connors* qualifies as prior art under 35 U.S.C. §

102(e) and that the subject matter and the claimed invention were, at the time the claimed invention was made, owned by the same person or subject to an obligation of assignment to the same person.

*Connors* was filed on January 12, 2001 and first published on October 31, 2006, the *Connors* issue date. The present application was filed on February 1, 2002. Thus, *Connors* qualifies as prior art under 35 U.S.C. § 102(e). Applicant submits that the present application and *Connors* were, at the time the present invention was made, owned by, or subject to an obligation of assignment to, Trilogy Development Group, Inc. now doing business as Versata Development Group, Inc.

Thus, Applicants respectfully submit that *Connors* is not a proper reference against the present invention under 35 U.S.C. § 103.

Nevertheless, even if *Connors* is a proper reference, neither *Henson II* nor *Connors* supplies the missing teaching in *Henson I* of “generating a first delta price for a second configuration of the product after receiving the modification of the one or more features of the first configuration” as required by claims 1, 58, and 75.

Accordingly, for at least the foregoing reasons, Applicants respectfully submit that claims 1, 58, and 75 are allowable over *Henson*. For at least the same reasons, Applicants respectfully submit that claims directly or indirectly dependent upon claims 1 and 58 are allowable over *Henson I* in view of *Henson II* and *Connors*.

Accordingly, Applicants respectfully request withdrawal of the rejection.

### **Claim Rejections – 35 U.S.C. § 103**

Claims 2-4, 11-13, 59-61, and 67-69 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over *Henson I* and *Henson II* in view of U.S. Publication No. 2003/0088431 to Hara et al. (hereinafter “*Hara*”).

*Hara* relates to an “automatic price correcting system in which the seller and the buyer communicate with each other via network.” *Hara*, Abstract. Applicants respectfully submit that, like *Henson I* in view of *Henson II*, *Hara* also does not teach “generating a first delta price for a second configuration of the product after receiving the modification of the one or more

features of the first configuration” as required by claims 1, 58, and 75.

For at least the foregoing reasons, Applicants respectfully submit that claims 1, 58, and 75 are allowable over *Henson I* in view of *Henson II* and *Hara*. For at least the same reasons, Applicants respectfully submit that claims 2-4, 11-13, 59-61, and 67-69, directly or indirectly dependent upon claims 1 and 58, are allowable over *Henson I* in view of *Henson II* and *Hara*.

Accordingly, Applicants respectfully request withdrawal of the rejection.

### CONCLUSION

In view of the amendments and remarks set forth herein, the application is believed to be in condition for allowance and a notice to that effect is solicited. Nonetheless, should any issues remain that might be subject to resolution through a telephonic interview, the examiner is requested to telephone the undersigned at 512-338-9100.

#### CERTIFICATE OF TRANSMISSION

I hereby certify that on January 22, 2009 this correspondence is being transmitted via the U.S. Patent & Trademark Office's electronic filing system.

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Respectfully submitted,

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